

1  
2  
3 Hon. John C. Coughenour  
4  
5  
6

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 JOHN E. COLLINS, JR., a/k/a JAKE E.  
10 COLLINS, JR., an individual,

11 Plaintiff,

12 vs.

13 NOVA ASSOCIATION MANAGEMENT  
14 PARTNERS, LLC, a Washington limited  
liability company; SOUND LEGAL  
15 PARTNERS, LLC, a Washington limited  
liability company; RACHEL RAPP  
BURKEMPER, an individual; and VILLA  
MARINA ASSOCIATION OF  
APARTMENT OWNERS,

16 Defendants.

No. 2:20-cv-01206-JCC

STIPULATION AND ORDER STAYING  
DISCOVERY PENDING DECISIONS ON  
DEFENDANTS' MOTIONS TO DISMISS

NOTED FOR HEARING:  
NOVEMBER 24, 2020

[PROPOSED]

17 I. STIPULATION

18 Defendants have each moved to dismiss Plaintiff's claims in their respective  
19 Rule 12(b)(6) Motions to Dismiss. (Dkt 15, 17).

20 The Parties, through their respective counsel, wish to avoid costly and/or intrusive  
21 discovery to the extent that it may not be needed, and agree that it is in all Parties' interests to  
22 stay discovery pending a decision on Defendants' motions to dismiss.

23 The Parties therefore propose the following stipulation to the Court, and request that the  
24 Court adopt the following stipulation of the Parties.

25 STIPULATION AND ORDER STAYING DISCOVERY  
PENDING DECISIONS ON DEFENDANTS' MOTIONS  
TO DISMISS - 1  
2:20-cv-01206-JCC  
6759841.doc

LEE · SMART

P.S., Inc. · Pacific Northwest Law Offices

1800 One Convention Place · 701 Pike Street · Seattle · WA · 98101-3929  
Tel. 206.624.7990 · Toll Free 877.624.7990 · Fax 206.624.5944

1       1. The Parties stipulate that all discovery in this case should be stayed until an  
2 Order is entered on Defendants' Rule 12(b)(6) Motions to Dismiss. (Dkr 15, 17).

3       2. The Parties stipulate that they shall not engage in discovery of any type prior to  
4 entry of such an Order.

5       3. The Parties stipulate that, after an Order is entered on Defendants' Rule 12(b)(6)  
6 Motions to Dismiss, the discovery stay should be lifted and discovery should be permitted to  
7 commence as to Parties or issues that may remain after such Order is entered, if any.

8                          Submitted jointly this 24th day of November, 2020.  
9

10                          s/ Ha Thu Dao  
11                          Ha Thu Dao WSBA No. 21793  
12                          10728 16th Ave SW  
13                          Seattle, WA 98146  
14                          (727) 269-9334  
15                          [hadaojd@gmail.com](mailto:hadaojd@gmail.com)  
16                          Attorney for Plaintiff  
17                          John E. Collins, Jr.

18                          HENRY & DEGRAAFF, P.S.

19                          s/ Christina L. Henry  
20                          Christina L. Henry, WSBA No. 31273  
21                          787 Maynard Ave S.  
22                          Seattle, WA 98104-2987  
23                          (206) 330-0595  
24                          [chenry@hdm-legal.com](mailto:chenry@hdm-legal.com)  
25                          Attorney for Plaintiff  
                        John E. Collins, Jr.

26                          LEVY VON BECK COMSTOCK, P.S.

27                          s/ Tyler Kerr  
28                          Seth E. Chastain, WSBA No. 43066  
29                          Tyler Kerr, WSBA No. 46993  
30                          1200 Fifth Ave, Ste 1850  
31                          Seattle, WA 98101  
32                          (206) 531-2945

33                          STIPULATION AND ORDER STAYING DISCOVERY  
34                          PENDING DECISIONS ON DEFENDANTS' MOTIONS  
35                          TO DISMISS - 2  
36                          2:20-cv-01206-JCC  
37                          6759841.doc

LEE SMART

P.S., Inc. - Pacific Northwest Law Offices

1800 One Convention Place • 701 Pike Street • Seattle • WA • 98101-3929  
Tel. 206.624.7990 • Toll Free 877.624.7990 • Fax 206.624.5944

1                   sechastain@levy-law.com

2                   tyler@levy-law.com

3                   Attorneys for Defendants

4                   Nova Association Management Partners, LLC, and

5                   Villa Marina Association of Apartment Owners

6                   LEE SMART, P.S., INC.

7                   /s Marc Rosenberg

8                   Marc Rosenberg, WSBA No. 31034

9                   Of Attorneys for Defendant

10                  Sound Legal Partners and Burkemper

11                  1800 One Convention Place

12                  701 Pike St.

13                  Seattle, WA 98101-3929

14                  (206) 624-7990

15                  mr@leesmart.com

16                  STIPULATION AND ORDER STAYING DISCOVERY  
17                  PENDING DECISIONS ON DEFENDANTS' MOTIONS  
18                  TO DISMISS - 3

19                  2:20-cv-01206-JCC

20                  6759841.doc

21                  LEE SMART

22                  P.S., Inc. - Pacific Northwest Law Offices

23                  1800 One Convention Place • 701 Pike Street • Seattle • WA • 98101-3929  
24                  Tel. 206.624.7990 • Toll Free 877.624.7990 • Fax 206.624.5944

1  
2                   **II. ORDER**  
3

4                   The Court, having reviewed the Parties' Stipulation to Stay Discovery Pending  
5 Decisions of Defendants' Rule 12(b)(6) Motions to Dismiss, finds good cause to now enter the  
6 following Order:

7                   1. It is hereby Ordered that all discovery in this case is hereby stayed until an  
8 Order is entered on Defendants' Rule 12(b)(6) Motions to Dismiss. (Dkr 15, 17).  
9                   2. The Parties may not engage in discovery of any type prior to such an Order.  
10                  3. After an Order is entered on Defendants' Rule 12(b)(6) Motions to Dismiss, this  
11 discovery stay shall be lifted without further action, and discovery may then commence as to  
12 Parties or issues that may remain after the Order is entered, if any.

13                  IT IS SO ORDERED.  
14

15                  Entered this \_\_\_\_ day of \_\_\_\_\_, 2020.  
16

17                  \_\_\_\_\_  
18                  Hon. John C. Coughenour  
19                  U.S. District Court Judge  
20